

E2 14 ~~80~~ (amended). The process according to Claim ~~87~~¹, wherein the probe is an oligo- or polynucleotide having at least two chemical structural elements, wherein (a) each chemical structural element can be detected, upon interacting with electromagnetic waves, by absorption or emission of radiation and (b) one of the structural elements, upon interacting with electromagnetic waves, [that] can [cleave a stable double bond of the oligo- or polynucleotide and, optionally,] link [the stable double bond] to another position on the oligo- or polynucleotide [by absorbing electromagnetic radiation, excitation-effected emitting of electromagnetic radiation, or a combination thereof].

E3 17 ~~83~~ (amended). The process according to Claim ~~88~~¹⁴, wherein the chemical structural [elements are] element that can link to another position on the oligo- or polynucleotide is a photochemical [crosslinkers] crosslinker.

E4 27 ~~93~~ (amended). The process of claim ~~87~~¹ wherein the probe is an oligo- or polynucleotide having at least one [non-naturally occurring] chemical structural element (a) having a stable bond that, upon interacting with electromagnetic waves, is capable of cleavage and subsequent linkage with the amplified nucleic acid and (b) that can be detected, upon interacting with electromagnetic waves, by absorption or emission of radiation, [that can cleave a stable double bond of the oligo- or polynucleotide and, optionally, link the stable double bond to another position on the oligo- or polynucleotide by absorbing electromagnetic radiation, excitation-effected emitting of electromagnetic radiation, or a combination thereof, and] wherein said structural element is not a purine or pyrimidine substituent of naturally occurring nucleotide components.

28 ²⁷94 (amended). The process of claim ²⁷93 wherein the chemical structural element having a stable bond is psoralene or a psoralene derivative.

E4 29 ²⁷95 (amended). The process of claim ²⁷93 wherein the chemical structural element that can be detected luminesces.

REMARKS

The present claims are 67-108.

According to the advisory action mailed January 8, 1997, the amendment filed December 30, 1996, was not entered because language added to claim 67 allegedly raised "new issues." Since claim 67 is not changed by the present amendment, the reason for not entering the amendment has been removed. That is, according to the advisory action, the present amendment should be entered.

Claims 75, 76, 80, 83, 93, 94, and 95 are amended to place these claims in allowable form; thereby, either rendering the application allowable or, at least, reducing the issues for appeal.

Claims were rejected under 35 USC 112, first paragraph, and 35 USC 112, second paragraph. Reconsideration is respectfully requested.

The reasons for the §112 rejection were set forth in paragraphs 7-14 of the final action.

The reason for rejection found in paragraph 8 of the final office action was withdrawn pursuant to the Advisory Action mailed October 29, 1996.

The reason for rejection found in paragraph 9 of the final office action is considered overcome by inserting the word --detected-- in claim 76; such that the claim